

I am deeply troubled by the proposed Broadcast Flag. Like many Americans, I am a regular watcher of television. I am also an easily adopter of technology, having high-definition television in my home as well as a personal video-recorder.

While I am very sympathetic to the needs of copyright holders and do not engage in the theft or illegal sharing of video content, I do regularly timeshift analog programming and would like to do the same someday with HDTV programming. These fair-use rights, as confirmed by the Supreme Court in the Betamax case, are as essential to my viewing as the cable or satellite link that I pay well over \$50 each month for.

It is troublesome to me that the content owners seem to be seeking control over how I can use their own content not just for duplication -- which I know we all agree is illegal -- but for any conceivable use I might come up with it to enjoy that content in my own home. Surely, this has never been the intent of copyright. Imagine the chilling repercussions if authors could prevent you from sharing a reading with your children in the living room or perhaps determine that husbands and wives reading to one another in bed is deviant and should be regulated. Heavens, no!

Worse still, the broadcast flag is a technological solution that cannot help but discourage innovation in technology and -- worse still -- impose a suite of new regulations on makers of consumer electronics, computer goods, et al. In these troubled economic times, our technology firms continue their efforts to innovate and encourage demand for new technologies, the creation of new desirable products and the jobs to produce them, and, perhaps even the "next big thing" that will set off an economic boom.

I would hate to see American global leaders like Intel, AMD, Micron, Seagate, Dell, Hewlett Packard and IBM hamstrung by rules that force them to cripple products or require extensive approvals that delay the introduction of products to market to make sure they somehow comply. And this doesn't even begin the list of concerns. What if the Tivos and Sonicblues of the world never even got started because of chilling rules like this one? Where would that leave our cable giants and satellite companies -- employers of hundreds of thousands -- if they had no one innovating to take television into the 21st century?

We know full well that professional content thieves / pirates will spend to defeat copy protection technology. This cannot be condoned. But forcing me to buy more expensive devices that support the Flag but don't even prevent piracy is no solution to this problem. The content creators bear the burden of proof here that the proposed technology will not in any way restrict consumers' legal right and will actually prevent piracy. If they cannot, surely the Napster of tomorrow will carry copies of their creations and the only losers will be consumers and producers of devices that we don't want to buy. Make them both prove their goal will be achieved and especially ensure our rights will be maintained.